

REMARKS

Applicants have carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Application as examined included claims 1-26. Claims 1-26 have been cancelled without prejudice. New claims 27-63 have been added.

Claims 1-26 stand rejected under 35 U.S.C. 102(e) as being anticipated by Fertik (US 2001/0032163).

Fertik describes computer network apparatus for supporting open market trading including a) a database storing sellers' Asks and buyers' Bids, b) a means for receiving from a buyer or a seller an order to buy or sell a subject product, and c) filters for parsing sets of Bids and Asks stored in the database.

Applicants express appreciation to Examiner Gerald Vizvary and Examiner Ella Colbert for the courtesy of an interview, which was granted to Applicants' representative, Sanford T. Colb (Reg. No. 26,856). The interview was held in the USPTO on June 17, 2008. The substance of the interview is set forth in the Interview Summary.

At the interview, proposed amendments to claim 1 and proposed new claims 27 and 28 were discussed vis-à-vis the prior art. The Interview Summary states, in relevant part, "Proposed claim language was reviewed. Attorney was given a list of cited, but not used references in the final rejection and the 102(e) reference. The Primary Examiner suggested 1 independent system claim and 1 independent method claim having the same scope."

As suggested at the interview, applicants have amended the claims to include a single independent system claim 27. New independent system claim 27 clearly defines the computerized commodity system of the present invention.

Applicants submit that none of the prior art of record, either alone or in combination, show or suggest a computerized commodity trading system as recited in independent claim 27 including, inter alia, "queue management functionality operative ... to optimize business operation by ... amalgamating a first plurality of related shipping orders into a second plurality of related

shipping orders ... to reduce shipping cost, ... physical commodity transaction building functionality operative to generate at least one recommendation for a suitable transaction, responsive to a query from a user... and pricing chain building functionality including ... a pricing chain analysis functionality operative to analyze at least one pricing chain in a pricing chain library and to rank each of said at least one pricing chain relative to a specific transaction,” and that new claim 27 is therefore allowable.

New claims 28-63 each depend directly or ultimately from claim 27 and recite additional patentable subject matter and therefore are deemed allowable.

Support for new claim 27 is shown in the application as published, inter alia, in the following annotated version thereof:

27. (New) A computerized commodity trading system comprising: [Fig. 1, paragraph 0109]

a computer network; [Fig. 1, paragraph 0109]

a first plurality of computers connected to said network; [Fig. 1, paragraph 0109]

a second plurality of computers, connected to said network for providing user access to a plurality of users to said commodity trading system via said computer network; [Fig. 1, paragraphs 0109-0110] and

a database management system including at least one storage device; [Fig. 1, paragraphs 0119-0120]

said first plurality of computers operative to communicate with said database management system and to provide the following functionality: [Fig. 1]

user management functionality operative to manage said plurality of users, groups of said plurality of users and relationships therebetween; [Fig. 1, paragraph 0155]

queue management functionality operative to manage a plurality of interrelated queues and to optimize business operation by at least one of the following functions: [Fig. 1, paragraphs 0156-157]

batch processing to reduce workload; [paragraph 0159]

amalgamating a first plurality of related shipping orders into a second plurality of related shipping orders, said second plurality of related shipping orders including fewer orders than said first plurality of related shipping orders, to reduce shipping cost; and [paragraph 0159]

exploiting timing factors in scheduling to reduce costs, [paragraph 0159]

said queue management functionality including:

flexible business logic defining queue behavior rules, said rules including rules for resorting, reprioritizing, collating, and amalgamating items in each of said queues, and rules for providing notification of queue information between different ones of said queues, [paragraph 0158]

completion checking functionality; [paragraph 0196]

queue update functionality operative to update said plurality of queues; [paragraph

0244]

priority and status assignment functionality; [paragraph 0199]

dependency determination functionality; [paragraph 0198]

amalgamation functionality; [paragraph 0192] and

sorting functionality; [paragraph 0192] and

said plurality of queues including at least two of the following: [paragraph 0160]

a transaction queue comprising a list of transactions, each of said transactions

including a definition of what stages need to be completed to complete said transaction and what action needs to be taken to complete each of said stages; [paragraph 0161]

a storage queue comprising a list of orders that need to be stored; [paragraph 0162]

a shipment queue comprising a list of orders that need to be shipped; [paragraph

0162]

a currency exchange queue comprising a list of currency exchange tasks, each of said tasks including a currency amount to be exchanged and a currency for said currency amount to be exchanged into; [paragraph 0163]

a credit/debit note queue comprising a list of credit notes and debit notes; [paragraph 0164] and

an invoice queue; [paragraph 0160]

physical commodity transaction building functionality operative to generate at least one recommendation for a suitable transaction, responsive to a query from a user of said plurality of users; [paragraphs 0156, 0165]

said query including a request for a transaction recommendation meeting a set of requirements comprising a 'buy or sell' parameter and at least one of a first set of parameters, [paragraph 0166] said first set of parameters including:

a counterparty identifier; [paragraph 0168]

a product identifier; [paragraph 0168]

a quantity; [paragraph 0168] and

a price; [paragraph 0168]

notification handling functionality; [paragraph 0156]

pricing chain building functionality [paragraph 0156] including the following functionalities:

a user interface functionality operative to build a pricing chain; [paragraph 0172]

a pricing chain analysis functionality operative to analyze at least one pricing chain in a pricing chain library and to rank each of said at least one pricing chain relative to a specific transaction; [paragraph 0173]

an update field functionality operative to update a specific field in all pricing chains in a pricing chain library; [paragraph 0174]

a notification handler prompting functionality operative to prompt said notification handling functionality to obtain updates for stored price chain information; [paragraph 0174] and a sorting functionality [paragraph 0319]; and

data expiration handling functionality operative to manage data expirations based on a set of data expiration parameters which include at least one expiration period [paragraphs 0156, 0175]; and

said notification handling functionality being operative to generate a notification in response to a request from at least one of said price chain building functionality and said data expiration handling functionality [paragraph 0367].

Support for new claim 28 is found in paragraphs [0111]-[0118] of the application as

published. Support for new claims 29-32 is found in paragraphs [0166]-[0167] of the application as published.

Support for new claims 33-38 is found in paragraphs [0169]-[0170] of the application as published. Support for new claims 39-40 is found in paragraph [0174] of the application as published. Support for new claim 41 is found in paragraphs [0318]-[0319] of the application as published.

Support for new claims 42-44 is found in paragraph [0175] of the application as published. Support for new claims 45-47 is found in paragraph [0179] of the application as published.

Support for new claim 48 is found in paragraph [0216] of the application as published. Support for new claim 49 is found in paragraph [0233] of the application as published. Support for new claim 50 is found in paragraph [0245] of the application as published.

Support for new claim 51 is found in paragraphs [0241]-[0243] of the application as published. Support for new claims 52-53 is found in paragraph [0268] of the application as published. Support for new claim 54 is found in paragraph [0271] of the application as published.

Support for new claim 55 is found in paragraph [0301] of the application as published. Support for new claim 56 is found in paragraph [0305] of the application as published. Support for new claims 57-58 is found in paragraphs [0373]-[0374] of the application as published.

Support for new claim 59 is found in paragraph [0161] of the application as published. Support for new claims 60-61 is found in paragraph [0162] of the application as published. Support for new claim 62 is found in paragraph [0163] of the application as published. Support for new claim 63 is found in paragraph [0164] of the application as published.

Applicants have carefully studied the remaining prior art of record herein and conclude that the invention as described and claimed in the present application is neither shown in nor suggested by the cited art.

Applicants reserve the right to pursue the claims as filed in the context of a continuation application.

In view of the foregoing remarks, all of the claims are believed to be in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

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Respectfully submitted,

By 

S. Peter Ludwig

Registration No.: 25,351

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant